

IDAHO DEPARTMENT OF WATER RESOURCES 12/18/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: NANCY ARMSTRONG
PO BOX 1441
OLYMPIA WA 98507

SOURCE: GARDEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 1.00 CFS

PRIORITY DATE: 05/01/1904

POINT OF DIVERSION:
T10S R36E S7 NWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.000 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T10S R36E S04 SWNE 40.0 T10S R36E S04 SENE 40.0

80 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 80 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-00423, 29-00424

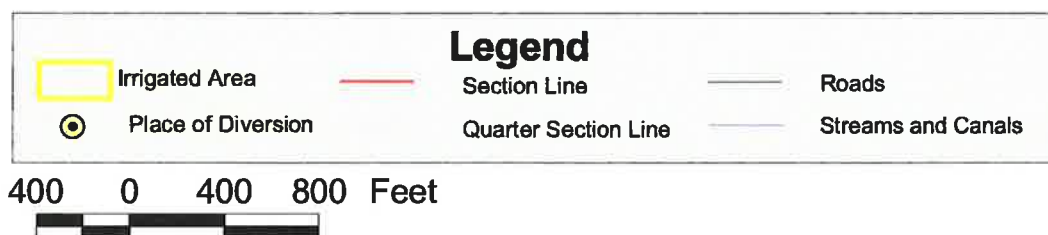
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Township , 10S36E

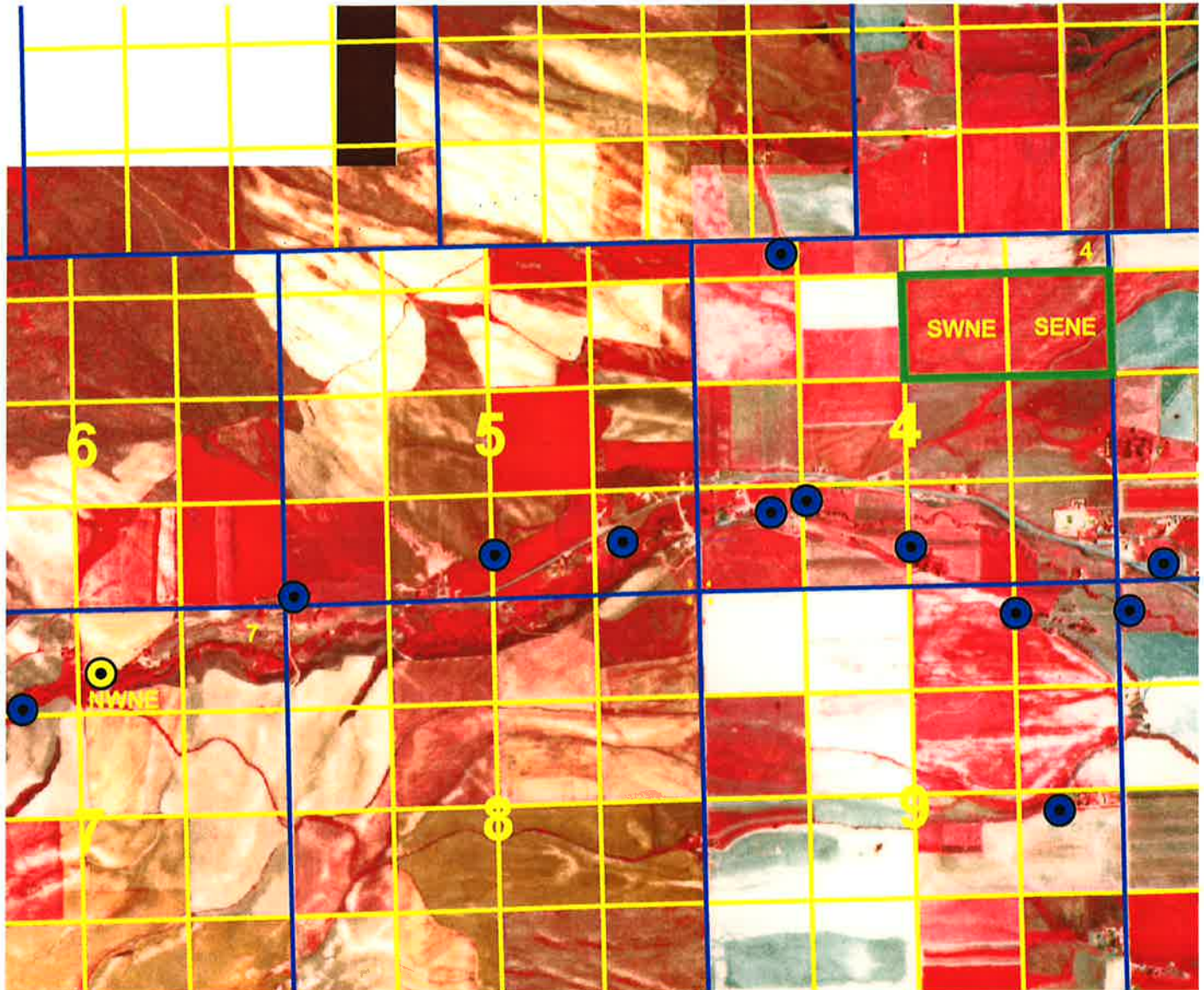


IDAHO DEPARTMENT OF WATER RESOURCES

29-00423, 29-00424

T10S R36E

T10S, R36E SEC. 4



ACRES IRRIGATED- 80



POINT OF DIVERSION



PLACE OF USE

SCANNED

NOV 08 2005

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON

PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 13, 2001

NANCY ARMSTRONG
PO BOX 1441
OLMPIA WA 98507

RE: CHANGE IN OWNERSHIP FOR A29-00335, A29-00338, A29-00369, A29-00370, A29-00423, A29-00424 AND A29-04168

Dear Ms. Armstrong:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

PROFILED

SCANNED
NOV 08 2005

De 12/2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A29-369			A29-335		
A29-370			A29-338		
A29-423			A29-4168		
A29-424					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Bernice Armstrong
 Enoch Armstrong
 Mc Cammon, Id

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

Nancy Armstrong 325277
 PO BOX 1441 Olympia, WA
 (360) 705-1559 98507

5. Date you acquired the property

Aug 2001

SCANNED

NOV 08 2005

FILED

- be used on the S. E. 1/4 of Sec. 15, Township 10 South of Range 36 E. B. M.
- 29 0401 To George Glaser, three-fourths second foot of water to date from the 1st day of May, 1902, and one second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of Sec. 33, Township 9, South of Range 36 E. B. M.
- 29 0403 To George J. Allen, three-fourths second foot of water to date from the 1st day of May, 1896, and one second foot of water to date from the 1st day of May, 1904, to be used upon the N. E. 1/4 of the N. W. 1/4 of Sec. 5; also the West half of the N. 1/4 of Sec. 5, Township 10 South of Range 36 E. B. M.
- 29 0405 To William C. Smith, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May 1904, to be used on the East half of the N. W. 1/4 of Sec. 7, Township 10 South of Range 36 E. B. M.
- 29 0407 To J. W. Stinger, three-fourths second foot of water to date from the 1st day of May, 1898 and one second foot of water to date from the 1st day of May, 1904, to be used on lots three and four in Sec. 4, and lots one and two in Sec. 5, Township 10 South of Range 36 E. B. M.
- 29 0409 To George A. Smith, three-fourths second foot of water to date from the 1st day of May, 1891, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the S. W. 1/4 and the east half of the N. W. 1/4 of Sec. 10, Township 10 South of Range 36 E. B. M.
- 29 0411 To J. H. Curtis, three-eighths of second foot of water to date from the 1st day of May, 1894, and three-eighths second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N. E. 1/4 of Sec. 7, Township 10 South of Range 36 E. B. M.
- 29 0413 To A. M. Curtis, three-eighths second foot of water to date from the 1st day of May, 1894 and three-eighths second foot of water to date from the 1st day of May 1904, to be used on the West half of the N. E. 1/4 Sec. 7, Township 10, South of Range 36 E. B. M.
- 29 0415 To Nannie R. Rollison, three-fourths second foot of water to date from the 1st day of May, 1887 and one second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 and the North half of the S. W. 1/4 and the S. E. 1/4 of the N. W. 1/4 of Sec. 4, Township 10 South of Range 36 E. B. M.
- 29 0417 To William P. Burton, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May 1904, to be used on the North half of the S. E. 1/4 and the East half of the S. W. 1/4 of Sec. 8, Township 10 South of Range 36 E. B. M.
- 29 0421 To John B. Chedgzy, three-fourths second foot of water to date from the 1st day of May, 1891 and one second foot of water to date from the 1st day of May, 1904, to be used on the N. E. 1/4 of Sec. 9, Township 10, South of Range 36 E. B. M.
- 29 0423 To William H. Allen, three-fourths second foot of water to date from the 1st day of May 1903 and one second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of the S. E. 1/4 of Sec. 31 and the S. W. 1/4 of the S. W. 1/4 Sec. 32 in Township 9, South of Range 36 E. B. M.
- 29 0425 To Laura T. Toler, three-eighths second foot of water to date from the 1st day of May, 1895 and one-half second foot of water to date from the 1st day of May 1904, to be used on the North half of the S. W. 1/4 of Sec. 9, Township 10 South of Range 36 E. B. M.
- 29 0427 To E. R. Kendall, three-sixteenths second foot of water to date from the 1st day of May, 1895, and one-fourth second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of the S. E. 1/4 of Sec. 9, Township 10 South of Range 36 E. B. M.
- 29 0429 To Truman Rowe, one and three-fourths second foot of water to date from the 1st day of May, 1904, to be used on lots one and two in Sec. 4, Township 10, South of Range 36 E. B. M.

All of the above described lands being in Bannock County, State of Idaho.

It is further adjudged and decreed that the plaintiff and any of its stockholders, and any or all of said defendants, who are adjudged to be entitled to the use of any of the waters of said stream or any of its tributaries thereto or may pool or unite the waters so decreed to them and use the same jointly or alternately or in rotation, or in such other manner as will secure the greatest benefits and most economical use of said water, so that the waters so united or pooled do not exceed the amount decreed to the parties entering into such arrangement.

AJ5809NP
No. A29-11561

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 244

Point(s) of Diversion: T10S R36E S04 NWSWSW BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
10S	36E	4	:					40		40	:									:	80.0
																				TOTAL ACRES	80.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-0423, 0369

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00369 A29-00423 A29-04403

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00369 A29-00423

Remarks: GEN CLAIMANT IS OWNER BY DEED TO THIS WATER. WATER SUPPLIES FOR
PAST YEARS HAVE BEEN TOO LOW TO HAVE THIS RIGHT DELIVERED.
CLAIMANT IS FILING TO PUT THIS RIGHT ON LANDS THAT HE WOULD NOW
USE IT ON IF THE RIGHT COULD BE DELIVERED.
*** THIS NOTICE COMBINES RIGHTS 29-00424 AND 29-00370.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: D

Audit: 04/20/90 VERNER 09/07/94 JTHOMPSO 03/29/95 POST-STD 04/12/00 CVANDERM

AJ5809NP
No. A29-11561

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 243

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ENOCH ARMSTRONG	05/01/1904	IRRIGATION	04-01 11-01	2.000 CFS	
C	BERNICE ARMSTRONG					
	1780 W STINGER RD					
	MC CAMMON ID 83250			TOTAL DIVERSION:	2.000 CFS	
	(208) 254-3517			CONSUMPTIVE USE:		200.00 AFA
	Water Source: GARDEN CREEK		Tributary to: MARSH CREEK		Stage: DECREED	

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-424
Date Received: 11/30/2001
Receipt No: X777777
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

NANCY ARMSTRONG Phone: (360) 705-1559

PO BOX 1441
OLYMPIA WA USA 98507

2. Date of Priority: 05/01/1904

3. Source: GARDEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	36E	4	NW SW SW	BANNOCK	

5. Description of diverting works:

ditches to flood irrigation

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10S	36E	4	SE NE	IRRIGATION	40
			SW NE	IRRIGATION	40

PROFILED

12/13/2001

SCANNED

NOV 08 2005

Section Acres 80

Total Acres 80

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

split into 29-424 from 29-11561

P/D & P/U INCOMPLETE.

** THIS RIGHT WAS COMBINED WITH 29-00370 UNDER NOTICE A29-11561. ESV 4/20/90 .

29-00370 = 1.0 CFS 29-00424 = 1.0 CFS TOTAL = 2.0 CFS .

A29-11561 = 2.0 CFS .

THIS RIGHT IS COMPLETELY CLAIMED. EN 1/5/96

15. Basis of Claim: Decreed

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-424
Date Received: 11/30/2001
Receipt No: X777777
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ENOCH ARMSTRONG Phone: (208)254-3517

1780 W STINGER RD
MC CAMMON ID USA 83250

BERNICE ARMSTRONG Phone: (208)254-3517

1780 W STINGER RD
MC CAMMON ID USA 83250

2. Date of Priority: 05/01/1904

3. Source: GARDEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	36E	4	NW SW SW	BANNOCK	

5. Description of diverting works:

ditches to flood irrigation

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

PROFILED

SCANNED
NOV 08 2005

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	36E	4	SE	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
Section Acres						80
Total Acres						80

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

split into 29-424 from 29-11561

P/D & P/U INCOMPLETE.

** THIS RIGHT WAS COMBINED WITH 29-00370 UNDER NOTICE A29-11561. ESV 4/20/90 .

29-00370 = 1.0 CFS 29-00424 = 1.0 CFS TOTAL = 2.0 CFS .

A29-11561 = 2.0 CFS .

THIS RIGHT IS COMPLETELY CLAIMED. EN 1/5/96

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

SCANNED
NOV 08 2005

PROFILED

MAY 22 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-11561
Date Received: 4/20/1990
Receipt No: 6013411
Received By: ED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ENOCH ARMSTRONG
Address: 1780 WEST STINGER RD.
MC CAMMON, ID

208-254-3517

OR

83250

Name: BERNICE ARMSTRONG
Address: 1780 WEST STINGER RD.
MC CAMMON, ID

208-254-3517

83250

2. Date of Priority: MAY 01, 1904

3. Source: GARDEN CREEK

Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	36E	4	NW	SW	SW		BANNOCK

5. Description of diverting works:
HEADGATE IN CREEK TO CANAL. FLOOD IRRIGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-11561

Page

1

Date: 04/20/90

MICROFILMED

NOV 16 1992

A2911561



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	36E	4	SW SE	NE NE	IRR IRR	40.0 40.0
Section Acres						80.0
Total Acres						80.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-0423, 0369

14. Remarks:

CLAIMANT IS OWNER BY DEED TO THIS WATER. WATER SUPPLIES FOR
PAST YEARS HAVE BEEN TOO LOW TO HAVE THIS RIGHT DELIVERED.
CLAIMANT IS FILING TO PUT THIS RIGHT ON LANDS THAT HE WOULD NOW
USE IT ON IF THE RIGHT COULD BE DELIVERED.
*** THIS NOTICE COMBINES RIGHTS 29-00424 AND 29-00370.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GARDEN CREEK IRRIGATION CO.
Decree Plaintiff

vs

THOMAS E. WOLVERTON, ET. AL.
Decree Defendant

Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Enoch Armstrong Date: 4/20/90
Bernice Armstrong Date: 4/20/90

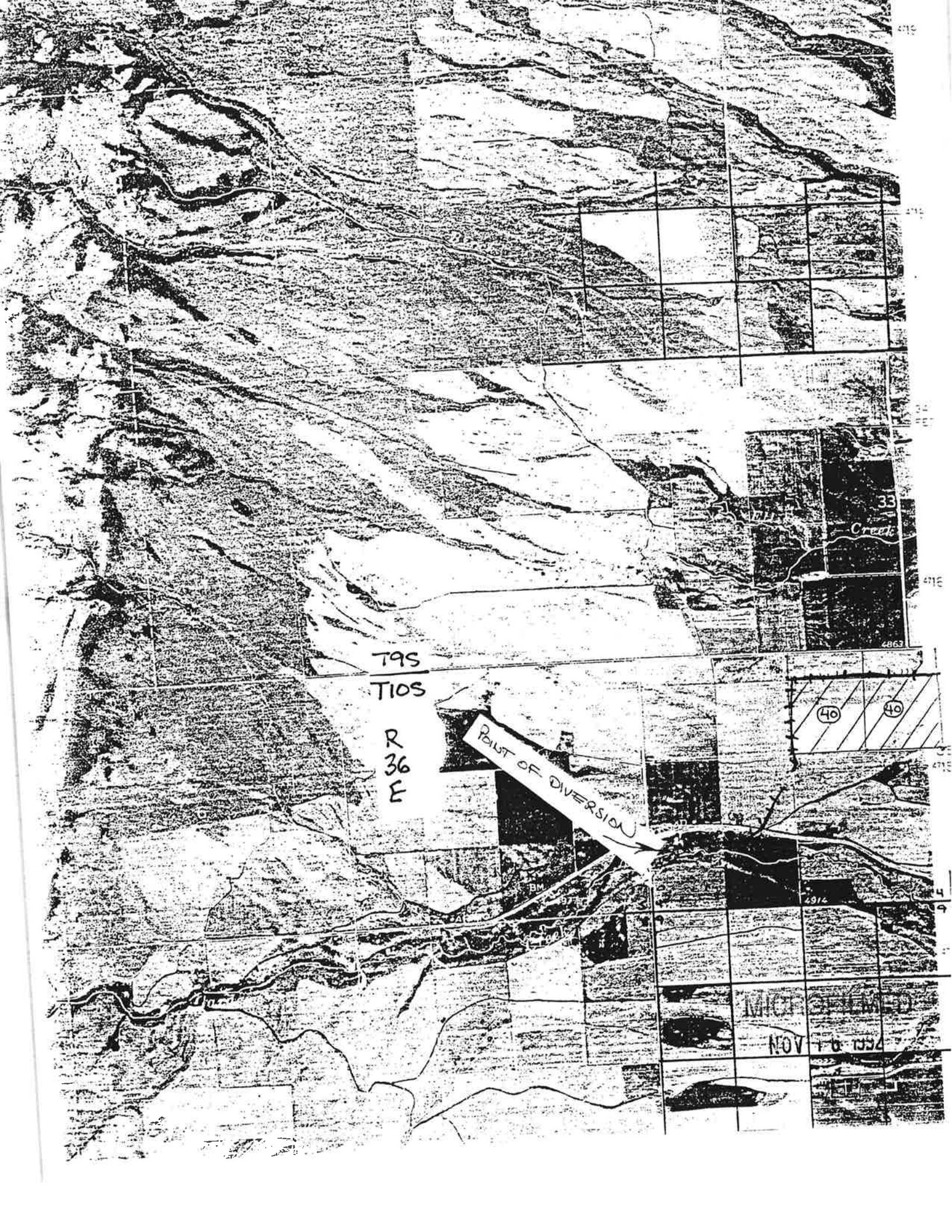
State of Idaho
County of Bonneville } SS.

Subscribed and sworn (or affirmed) before me this 20 day
of April 19 90

[Signature]
Notary Public

Seal

Residing at Shoshone Falls, ID.
My Commission Expires 22 Aug 1994



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-00424

Date Received:

Receipt No: X777777

Received By: EA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COMBINED RIGHT

Address:

N/A, ID

00000

2. Date of Priority: MAY 01, 1904

3. Source: GARDEN CREEK
COMBINED RIGHT

Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
65N	46E	36			SUBSCRIPTION

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	36E	31	SE	SE	IRR	
		32	SW	SW	IRR	

11. Place of use in counties: BANNOCK

A29-00424

Page 1

Date: 04/20/90

A2900424



MICROFILMED

NOV 13 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-0423

14. Remarks:

P/D & P/U INCOMPLETE.

** THIS RIGHT WAS COMBINED WITH 29-00370 UNDER NOTICE A29-11561.
ESV 4/20/90

15. Basis of Claim:

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____